

# Notice of Allowability

Application No.

09/509,045

Examiner

Stephen J. Lechert Jr.

Applicant(s)

LUCA, TONCELLI

Art Unit

1732

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the filing date of 3-21-2000.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 21 March 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |   |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                       | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                              | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____  |
| 3 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material           | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

Stephen J. Lechert Jr.   
Primary Examiner  
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**1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.**

**Authorization for this examiner's amendment was given in a telephone interview with Mr. Gallagher on January 21, 2004.**

**The application has been amended as follows:**

**In the Abstract:**

**On a separate page following the claims, insert the following:**

**--Abstract of the Disclosure**

**The method of producing slabs made of granulated stone and/or sand bound with a hardenable resin by compaction under vacuum and subsequent hardening in which before the vibratory compaction the mixture is spread to a uniform thickness on a support, the support being protected by highly resilient sheet material. A lower sheet material has a shaped configuration comprising a flat base and a peripheral frame projecting from the flat base for a predetermined**

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**height so as to define a seat of dimension corresponding in plan to those of the slab to be produced. The peripheral frame having a height which is lower by a predetermined amount than that of the final slab produced.--**

**In the Specification:**

**Page 1, line 1, insert --This application is a 371 of PCT/EP98/06984 filed October, 24, 1998.--**

**Page 4, line 11, insert the heading --Brief Description of the Drawings--**

**2. The following is an examiner's statement of reasons for allowance: The invention relates to a method of producing slabs of granulated stone and/or sand bound by a hardenable resin, in which the granulated stone and/or sand and resin is spread on to a lower sheet and then covered by an upper sheet. The method differs from the prior art's method in that the lower sheet has a rim portion which determines the height or thickness of the slab to be produced which has not been taught either singularly or in combination by the prior art.**

**Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid**

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**processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."**

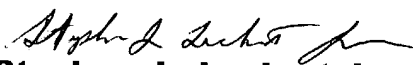
**3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Toncelli teaches a method of making slabs of granulated stone and/or sand bound with a hardenable resin utilizing upper and lower protective sheets, but does not teach the claimed peripheral frame projecting from the lower sheet which determines the height or thickness of the slab to be produced.**

**4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Lechert Jr. whose telephone number is 571-272-1203. The examiner can normally be reached on 9:30-6:00.**

**If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.**

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**Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-0987.**

  
**Stephen J. Lechert Jr.**  
**Primary Examiner**  
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